

SEC. 8. That all prisoners confined in the county jail under a final sentence of the court for crime or imprisonment for non payment of costs or fines or under final judgment in cases of bastardy, or under the vagrant acts, all insolvents who shall be imprisoned by any court in said county for non-payment of costs, and all persons sentenced in said county to the state prison for a term less than ten years shall be worked on the public roads of the county: *Provided*, that the commissioners of the county may arrange with the commissioners of any neighboring county or counties for such an exchange of prisoners during alternate months or years as will enable each such cooperating county to thereby increase the number of prisoners at work on its public roads at any given time. And upon application of the said road superintendent of the county or that of the chairman of the board of county commissioners, the judge of the superior court or the judge of the criminal court, the justices of the peace and the principal officer of any municipal or any other inferior court, it shall be the duty of the said judge or justice of the peace or said principal officer to assign such persons convicted in his court to said road superintendent for work on the public roads of said county: all such convicts to be fed, clothed and otherwise cared for at the expense of the county: *Provided further*, that in case of serious physical disability, certified to by the county physician, persons convicted in said superior, criminal or inferior courts in the county may be sentenced to the penitentiary or to the county jail.

Persons confined in jail, and others who may be worked on road.

Exchange of prisoners by counties.

Proviso.

In case of physical disabilities, persons may be relieved from road work.

SEC. 9. That when the commissioners of any county shall have made provisions for the expense of supporting and guarding while at work on the public roads a larger number of prisoners than can be supplied from that county, upon the application of the commissioners of said county to the judges of the superior and criminal courts presiding in adjoining counties or any other county or counties in the same or adjoining judicial districts which do not otherwise provide for the working of their own convicts on their own public roads, may sentence such able-bodied male prisoners as are described in section eight of this act from such adjoining counties or other counties in the same and adjoining judicial districts to work on the public roads of said county or counties applying for the same in the order of their application; and the cost of transporting, guarding and maintaining such prisoners as may be sent to any such county applying for the same, shall be paid by the county applying for and receiving them out of the road fund of each such county: *Provided*, that any and all such prisoners from such other counties may at any time be returned to the keeper of the common jail of such counties at the expense of the county having received and used them.

Convicts may be used in certain cases from adjoining counties.

Proviso.

Prisoners may at any time be returned to county from which sentenced.